



General Assembly

January Session, 2019

Raised Bill No. 7140

LCO No. 4168



Referred to Committee on TRANSPORTATION

Introduced by:
(TRA)

AN ACT CONCERNING RECOMMENDATIONS BY THE DEPARTMENT OF TRANSPORTATION REGARDING SEAT BELTS, MOTORCYCLE HELMETS, THE OPERATION LIFESAVER PROGRAM, MAINTENANCE VEHICLES AND TRANSPORTATION STATUTES.

Be it enacted by the Senate and House of Representatives in General Assembly convened:

1 Section 1. Subdivision (1) of subsection (c) of section 14-100a of the
2 general statutes is repealed and the following is substituted in lieu
3 thereof (*Effective October 1, 2019*):

4 (c) (1) The operator of and any [front seat] passenger in any motor
5 vehicle or fire fighting apparatus originally equipped with seat safety
6 belts complying with the provisions of 49 CFR 571.209, as amended
7 from time to time, shall wear such seat safety belt while the vehicle or
8 fire fighting apparatus is being operated on any highway, except as
9 follows:

10 (A) A child under eight years of age shall be restrained as provided
11 in subsection (d) of this section;

12 (B) The operator of such vehicle shall secure or cause to be secured

13 in a seat safety belt any passenger eight years of age or older and
14 under sixteen years of age; and

15 (C) [If the operator of such vehicle is under eighteen years of age,
16 such operator and each passenger in such vehicle shall wear such seat
17 safety belt while the vehicle is being operated on any highway]
18 Nothing in this subsection shall be construed to require a passenger in
19 a bus having a tonnage rating of one ton or more to wear a seat safety
20 belt while the bus is being operated on any highway.

21 Sec. 2. Section 54-33m of the general statutes is repealed and the
22 following is substituted in lieu thereof (*Effective October 1, 2019*):

23 The failure of an operator of, or [front seat] any passenger in, a
24 private passenger motor vehicle or vanpool vehicle to wear a seat
25 safety belt as required by section 14-100a, as amended by this act, shall
26 not constitute probable cause for a law enforcement official to conduct
27 a search of such vehicle and its contents.

28 Sec. 3. Section 14-289g of the general statutes is repealed and the
29 following is substituted in lieu thereof (*Effective October 1, 2020*):

30 (a) No person [under eighteen years of age] may (1) operate a
31 motorcycle or a motor-driven cycle, as defined in section 14-1, or (2) be
32 a passenger on a motorcycle or motor-driven cycle, unless such
33 operator or passenger is wearing protective headgear of a type which
34 conforms to the minimum specifications established [in] pursuant to
35 regulations adopted under subsection (b) of this section. As used in
36 this section, the term "motorcycle" does not include "autocycle".

37 (b) The Commissioner of Motor Vehicles shall adopt regulations, in
38 accordance with the provisions of chapter 54, which may incorporate
39 by reference the standards set forth in 49 CFR 571.218, as amended
40 from time to time, to establish minimum specifications for protective
41 headgear designed for use by operators and passengers of
42 motorcycles.

43 (c) Any person who violates this section shall have committed an
44 infraction and shall be fined not less than ninety dollars.

45 [(b) As used in this section, the term "motorcycle" shall not include
46 "autocycle".]

47 Sec. 4. Section 13b-376 of the general statutes is repealed and the
48 following is substituted in lieu thereof (*Effective from passage*):

49 (a) [There is established an Operation Lifesaver Committee which
50 shall be within the Department of Transportation for administrative
51 purposes only. The committee] The Commissioner of Transportation
52 shall establish and operate an operation lifesaver program designed to
53 reduce the number of accidents at railway crossings and to increase the
54 public awareness of railroad crossing hazards. [Said committee shall
55 consist of the Commissioner of Transportation or his designee, the
56 Commissioner of Education or his designee, and the Commissioner of
57 Emergency Services and Public Protection or his designee, and six
58 members appointed as follows: Two representatives of civic
59 organizations, one appointed by the president pro tempore of the
60 Senate and one appointed by the minority leader of the House of
61 Representatives, a representative of the railroad industry appointed by
62 the speaker of the House of Representatives, a representative of a
63 parent teacher association appointed by the majority leader of the
64 Senate, a representative of a local law enforcement agency appointed
65 by the majority leader of the House of Representatives and a local
66 government official appointed by the minority leader of the Senate.
67 The Commissioner of Transportation shall serve as chairperson of the
68 committee. The committee shall meet at such times as it deems
69 necessary] The commissioner may enter into agreements with a
70 national nonprofit organization dedicated to increasing public safety
71 and providing education regarding railroad crossing hazards to
72 establish, operate and maintain the program.

73 (b) The [Operation Lifesaver Committee] commissioner shall: (1)
74 [Administer and operate the operation lifesaver program; (2) establish

75 committees to promote] Ensure the Operation Lifesaver Committee
76 established pursuant to subsection (c) of this section guides and
77 promotes the program on the local level; [(3)] (2) educate the public
78 with information designed to reduce the number of accidents, deaths
79 and injuries at railroad and at-grade crossings; [(4)] (3) encourage state
80 and local law enforcement agencies to vigorously enforce the law
81 governing motorist and pedestrian rights and responsibilities; [(5)] (4)
82 encourage the development of engineering and safety improvements;
83 [(6)] (5) encourage the maintenance of railroad and at-grade crossings;
84 [(7)] (6) submit an annual report regarding the status of the program
85 and make any recommendations the commissioner may have
86 regarding additional goals or objectives of the program to the [General
87 Assembly implementing the purposes of the committee. The
88 committee shall annually review its progress and submit its findings
89 and recommendation to the joint standing committee of the General
90 Assembly having cognizance of matters relating to transportation]
91 Operation Lifesaver Committee; and (7) adhere to the goals and
92 objectives of the program.

93 (c) There is established an Operation Lifesaver Committee which
94 shall be within the Department of Transportation. The committee shall
95 consist of the Commissioner of Transportation or the commissioner's
96 designee, the Commissioner of Emergency Services and Public
97 protection or the commissioner's designee and the Commissioner of
98 Motor Vehicles or the commissioner's designee. The Commissioner of
99 Transportation or the commissioner's designee shall serve as
100 chairperson of the committee. The committee shall meet at such times
101 at it deems necessary.

102 (d) The Commissioner of Transportation may, within available
103 federal resources, make grants and otherwise administer funds to
104 public or private school systems to assist such school systems to
105 establish, operate or maintain an operation lifesaver training program.
106 The commissioner may apply for, receive and accept grants, gifts and
107 bequests of funds made available by any person, political subdivision
108 or entity, or any other agency, governmental or private, including the

109 United States or any of its agencies and instrumentalities to carry out
110 the purposes of this section.

111 [(c)] (e) The Department of Transportation may adopt regulations,
112 in accordance with the provisions of chapter 54, to carry out the
113 purposes of this section.

114 Sec. 5. Section 14-96q of the general statutes is repealed and the
115 following is substituted in lieu thereof (*Effective from passage*):

116 (a) A permit is required for the use of colored or flashing lights on
117 all motor vehicles or equipment specified in this section except: (1)
118 Motor vehicles not registered in this state used for transporting or
119 escorting any vehicle or load, or combinations thereof, which is either
120 oversize or overweight, or both, when operating under a permit issued
121 by the Commissioner of Transportation pursuant to section 14-270, as
122 amended by this act; or (2) motor vehicles or equipment that are (A)
123 equipped with lights in accordance with this section, (B) owned or
124 leased by the federal government, the state of Connecticut, or any
125 other state, commonwealth or local municipality, and (C) registered to
126 such governmental entity. When used in this section the term
127 "flashing" shall be considered to include the term "revolving".

128 (b) The Commissioner of Motor Vehicles, or such other person
129 specifically identified in this section, is authorized to issue permits for
130 the use of colored or flashing lights on vehicles in accordance with this
131 section, at the commissioner's or such person's discretion. Any person,
132 firm or corporation other than the state or any metropolitan district,
133 town, city or borough shall pay an annual permit fee of twenty dollars
134 to the commissioner for each such vehicle. Such fee shall apply only to
135 permits issued by the commissioner.

136 (c) A blue light or lights, including flashing blue lights, may be used
137 on a motor vehicle operated by an active member of a volunteer fire
138 department or company or an active member of an organized civil
139 preparedness auxiliary fire company who has been issued a permit by
140 the chief executive officer of such department or company to use such

141 a light while on the way to or at the scene of a fire or other emergency
142 requiring such member's services. Such permit shall be on a form
143 provided by the commissioner and may be revoked by such chief
144 executive officer or successor. The chief executive officer of each
145 volunteer fire department or company or organized civil preparedness
146 auxiliary fire company shall keep on file, on forms provided by the
147 commissioner, the names and addresses of members who have been
148 authorized to use flashing blue lights as provided in this subsection.
149 Such listing shall also designate the registration number of the motor
150 vehicle on which authorized flashing blue lights are to be used.

151 (d) A green light or lights, including flashing green lights, may be
152 used on a motor vehicle operated by an active member of a volunteer
153 ambulance association or company who has been issued a permit by
154 the chief executive officer of such association or company to use such a
155 light, while on the way to or at the scene of an emergency requiring
156 such member's services. Such permit shall be on a form provided by
157 the commissioner and may be revoked by such chief executive officer
158 or successor. The chief executive officer of each volunteer ambulance
159 association or company shall keep on file, on forms provided by the
160 commissioner, the names and addresses of members who have been
161 authorized to use flashing green lights as provided in this subsection.
162 Such listing shall also designate the registration number of the vehicle
163 on which the authorized flashing green lights are to be used.

164 (e) The commissioner may issue a permit for a red light or lights,
165 including flashing red lights, which may be used on a motor vehicle or
166 equipment (1) used by paid fire chiefs and their deputies and
167 assistants, up to a total of five individuals per department, (2) used by
168 volunteer fire chiefs and their deputies and assistants, up to a total of
169 five individuals per department, (3) used by members of the fire police
170 on a stationary vehicle as a warning signal during traffic directing
171 operations at the scene of a fire or emergency, (4) used by chief
172 executive officers of emergency medical service organizations, as
173 defined in section 19a-175, the first or second deputies, or if there are
174 no deputies, the first or second assistants, of such an organization that

175 is a municipal or volunteer or licensed organization, (5) used by local
176 fire marshals, or (6) used by directors of emergency management.

177 (f) The commissioner may issue a permit for a yellow or amber light
178 or lights, including flashing yellow or amber lights, which may be
179 used on motor vehicles or equipment that are (1) specified in
180 subsection (e) of this section, (2) maintenance vehicles, [as defined in
181 section 14-1,] or (3) vehicles transporting or escorting any vehicle or
182 load or combinations thereof, which is or are either oversize or
183 overweight, or both, and being operated or traveling under a permit
184 issued by the Commissioner of Transportation pursuant to section 14-
185 270, as amended by this act. A yellow or amber light or lights,
186 including flashing yellow or amber lights, may be used without
187 obtaining a permit from the Commissioner of Motor Vehicles on
188 wreckers registered pursuant to section 14-66, on vehicles of carriers in
189 rural mail delivery service or on vehicles operated by construction
190 inspectors employed by the state of Connecticut, authorized by the
191 Commissioner of Transportation, used during the performance of
192 inspections on behalf of the state. The Commissioner of Transportation
193 shall maintain a list of such authorized construction inspectors,
194 including the name and address of each inspector and the registration
195 number for each vehicle on which the lights are to be used.

196 (g) The Commissioner of Motor Vehicles may issue a permit for a
197 white light or lights, including flashing white lights, which may be
198 used on a motor vehicle or equipment as specified in subdivision (1),
199 (2), (4), (5) or (6) of subsection (e) of this section. A vehicle being
200 operated by a member of a volunteer fire department or company or a
201 volunteer emergency medical technician may use flashing white head
202 lamps, provided such member or emergency medical technician is on
203 the way to the scene of a fire or medical emergency and has received
204 written authorization from the chief law enforcement officer of the
205 municipality to use such head lamps. Such head lamps shall only be
206 used within the municipality granting such authorization or from a
207 personal residence or place of employment, if located in an adjoining
208 municipality. Such authorization may be revoked for use of such head

209 lamps in violation of this subdivision. For the purposes of this
210 subsection, the term "flashing white lights" shall not include the
211 simultaneous flashing of head lamps.

212 (h) The commissioner may issue a permit for emergency vehicles, as
213 defined in subsection (a) of section 14-283, to use a blue, red, yellow, or
214 white light or lights, including flashing lights or any combination
215 thereof.

216 (i) The commissioner may issue a permit for ambulances, as defined
217 in section 19a-175, which may, in addition to the flashing lights
218 allowed in subsection (h) of this section, use flashing lights of other
219 colors specified by federal requirements for the manufacture of an
220 ambulance. If the commissioner issues a permit for any ambulance,
221 such permit shall be issued at the time of registration and upon each
222 renewal of such registration.

223 (j) A green, yellow or amber light or lights, including flashing green,
224 yellow or amber lights or any combination thereof, may be used on a
225 maintenance vehicle owned and operated by the Department of
226 Transportation.

227 [(j)] (k) Use of colored and flashing lights except as authorized by
228 this section shall be an infraction.

229 Sec. 6. Section 14-270 of the general statutes is repealed and the
230 following is substituted in lieu thereof (*Effective from passage*):

231 (a) The Commissioner of Transportation or other authority having
232 charge of the repair or maintenance of any highway or bridge is
233 authorized to grant permits for transporting vehicles or combinations
234 of vehicles or vehicles and load, or other objects not conforming to the
235 provisions of sections 14-98, 14-262, 14-262a, 14-264, 14-267a and 14-269
236 but, in the case of motor vehicles, only the Commissioner of
237 Transportation shall be authorized to issue such permits. Such permits
238 shall be written, and may limit the highways or bridges which may be
239 used, the time of such use and the maximum rate of speed at which

240 such vehicles or objects may be operated, and may contain any other
241 condition considered necessary by the authority granting the same,
242 provided the Department of Transportation shall not suffer any loss of
243 revenue granted or to be granted from any agency or department of
244 the federal government for the federal interstate highway system or
245 any other highway system.

246 (b) Any permit issued in respect to any vehicle, self-propelled
247 vehicle, or combination of vehicles or vehicle and trailer on account of
248 its excessive weight shall be limited to the gross weight shown or to be
249 shown on the commercial registration certificate or any commercial
250 registration certificate issued on an apportionment basis. A permit
251 granted under this section for a vehicle or load, greater than twelve
252 feet, but no greater than thirteen feet six inches in width and traveling
253 on undivided highways, shall require a single escort motor vehicle to
254 precede such vehicle or load. No escort motor vehicle shall be required
255 to follow such vehicle or load on such highways.

256 (c) Any permit issued under this section or a legible copy or
257 facsimile shall be retained in the possession of the operator of the
258 vehicle, self-propelled vehicle or combination of vehicles or vehicle
259 and trailer for which such permit was issued, except that an electronic
260 confirmation of the existence of such permit or the use of the special
261 number plates described in section 14-24 and any regulations adopted
262 thereunder shall be sufficient to fulfill the requirements of this section.

263 (d) (1) The owner or lessee of any vehicle may pay either a fee of
264 thirty dollars for each permit issued for such vehicle under this section
265 or a fee as described in subdivision (3) of this subsection for such
266 vehicle, payable to the Department of Transportation. (2) An
267 additional transmittal fee of five dollars shall be charged for each
268 permit issued under this section and transmitted via electronic means.
269 (3) The commissioner may issue an annual permit for any vehicle
270 transporting (A) a divisible load, (B) an overweight or oversized-
271 overweight indivisible load, or (C) an oversize indivisible load. The
272 owner or lessee shall pay an annual fee of nine dollars per thousand

273 pounds or fraction thereof for each such vehicle. A permit may be
274 issued in any increment up to one year, provided the owner or lessee
275 shall pay a fee of one hundred dollars for such vehicle or vehicle and
276 trailer for each month or fraction thereof. (4) The annual permit fee for
277 any vehicle transporting an oversize indivisible load shall not be less
278 than six hundred fifty dollars. (5) The commissioner may issue permits
279 for divisible loads in the aggregate not exceeding fifty-three feet in
280 length.

281 (e) (1) The Commissioner of Transportation shall adopt regulations
282 in accordance with chapter 54 prescribing standards for issuance of
283 permits for vehicles with divisible or indivisible loads not conforming
284 to the provisions of section 14-267a.

285 (2) In adopting regulations pursuant to this section, the
286 commissioner shall allow for the issuing of a wrecker towing or
287 transporting emergency permit, provided such movement of a
288 wrecked or disabled vehicle by a wrecker with a permit issued
289 pursuant to this subdivision shall be in accordance with any
290 limitations as to highway or bridge use and maximum rate of speed as
291 specified by the commissioner.

292 (f) The provisions of subsection (d) of this section shall not apply to
293 the federal government, the state, municipalities or fire departments.

294 (g) Any person who violates the provisions of any permit issued
295 under this section or fails to obtain such a permit, when operating any
296 motor vehicle or combination of vehicles described in section 14-163c,
297 shall be subject to the following penalties:

298 (1) A person operating a vehicle with a permit issued under this
299 section that exceeds the weight specified in such permit shall be subject
300 to a penalty calculated by subtracting the permitted weight from the
301 actual vehicle weight and the rate of the fine shall be fifteen dollars per
302 one hundred pounds or fraction thereof of such excess weight;

303 (2) A person who fails to obtain a permit issued under section 14-

304 262 or 14-264 and who is operating a vehicle at a weight that exceeds
305 the statutory limit for weight shall be subject to a penalty calculated by
306 subtracting the statutory limit for weight from the actual vehicle
307 weight and the rate of the fine shall be fifteen dollars per one hundred
308 pounds or fraction thereof of such excess weight;

309 (3) A person operating a vehicle with a permit issued under this
310 section that exceeds the length specified in such permit shall be subject
311 to a minimum fine of three hundred dollars;

312 (4) A person operating a vehicle with a permit issued under this
313 section that exceeds the width specified in such permit shall be subject
314 to a minimum fine of three hundred dollars;

315 (5) A person operating a vehicle with a permit issued under this
316 section that exceeds the height specified in such permit shall be subject
317 to a minimum fine of one thousand dollars;

318 (6) A person operating a vehicle with a permit issued under this
319 section on routes not specified in such permit, shall be fined (A) one
320 thousand five hundred dollars for each violation of the statutory limit
321 for length, width, height or weight, and (B) shall be subject to a penalty
322 calculated by subtracting the statutory weight limit of subsection (b) of
323 section 14-267a from the actual vehicle weight and such weight
324 difference shall be fined at the rate provided for in subparagraph (G)
325 of subdivision (2) of subsection (f) of section 14-267a; or

326 (7) A person (A) operating a vehicle with an indivisible load and
327 violating one or more of the provisions of subdivisions (1) to (6),
328 inclusive, of this subsection shall be required to obtain a permit, or (B)
329 operating a vehicle with a divisible load and violating one or more of
330 the provisions of subdivisions (1) to (6), inclusive, of this subsection
331 shall be required to be off loaded to the permit limit.

332 (h) (1) If the origin, destination, load description, tractor
333 registration, trailer registration, hours of travel, number of escorts,
334 signs or flags of a vehicle with a permit issued under this section differ

335 from those stated on such permit or required by regulations adopted
 336 pursuant to this section, a minimum fine of two hundred dollars shall
 337 be assessed for each such violation.

338 (2) If the days of travel of a vehicle with a permit issued under this
 339 section differ from those stated on such permit or the vehicle is
 340 operated under a false or fraudulent permit, a minimum fine of one
 341 thousand five hundred dollars shall be assessed for such violation in
 342 addition to any other penalties assessed.

343 (i) A person operating a vehicle under a forged permit shall be
 344 subject to a minimum fine of ten thousand dollars, in addition to any
 345 other penalties which may be assessed, and such vehicle shall be
 346 impounded until payment of such fine or fines, or until order of the
 347 Superior Court. As used in this subsection, "forged permit" means a
 348 permit for a nonconforming vehicle that is subject to the provisions of
 349 this section, that has been falsely made, completed or altered, and
 350 "falsely made", "falsely completed" and "falsely altered" have the same
 351 meaning as set forth in section 53a-137.

352 [(j) For the period beginning on July 1, 2016, and ending on June 30,
 353 2017, the commissioner shall waive the amount of any fee increase
 354 imposed under this section that took effect on July 1, 2016, for any
 355 person who demonstrates to the satisfaction of the commissioner that
 356 (1) such increased fee affects a material term in a contract for services
 357 that is in effect on July 1, 2016, or is subject to competitive bidding on
 358 July 1, 2016, and (2) such person is a party to such contract or a
 359 participant in such competitive bidding process.]

This act shall take effect as follows and shall amend the following sections:		
Section 1	<i>October 1, 2019</i>	14-100a(c)(1)
Sec. 2	<i>October 1, 2019</i>	54-33m
Sec. 3	<i>October 1, 2020</i>	14-289g
Sec. 4	<i>from passage</i>	13b-376
Sec. 5	<i>from passage</i>	14-96q
Sec. 6	<i>from passage</i>	14-270

Statement of Purpose:

To (1) require passengers in the back seat to wear seat belts, (2) require motorcycle operators and passengers to wear protective headgear, (3) revise the administration of the operation lifesaver program, (4) permit maintenance vehicles owned and operated by the Department of Transportation to use green, yellow or amber flashing lights, and (5) remove an obsolete provision in the transportation statutes.

[Proposed deletions are enclosed in brackets. Proposed additions are indicated by underline, except that when the entire text of a bill or resolution or a section of a bill or resolution is new, it is not underlined.]